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## CREATING ACCOUNTABLE PUBLIC BUREAUCRACIES\*

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1971

During the past several decades there has been a persistent and constant trend in our society that has not gained the prominence it deserves. This trend has been the continuous growth in the autonomy and power of public bureaucracies. The community power literature, for example, has systematically ignored public bureaucracies in its search for the power structure of cities (Aiken and Mott, 1970). The reasons why public bureaucracies have been overlooked by these researchers stem from a number of theoretical and methodological shortcomings that need not concern us here. The point, however, is that we have not regarded public bureaucracies as loci of power in our cities.

The resources these agencies command indicate the tremendous impact public bureaucracies have on municipal governments. What is perhaps most crucial about the fiscal impact public bureaucracies have is that their operating costs are often fixed within narrow limits, and mandated salary increments commit future resources. Urban mayors find themselves constrained from innovative activities because their discretionary funds are limited.

If we consider the relationships between public bureaucracies and their clientele, the power of these agencies is even more apparent. The changes in the social organization of our urban communities have made these agencies more central to the lives of the citizens in these communities than they were previously. They now make a number of critical decisions that directly affect the lives of millions of persons.

Amos Hawley has argued that units within a system have two types of power. The first he calls functional power -- the power needed to execute a function -- and the second derivative power: "that which spills over external relationships and regulates the interaction between parts" (1963:423). I am claiming that public bureaucracies have both types of power but particularly, the latter. I will clarify in detail below why this is so.

To begin with functional power or internal organizational characteristics, we note that public bureaucrats have increasingly come under the protection of civil service. Many of these positions were formerly part of a patronage system and therefore subject to

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the discipline of political regimes. Civil service regulations, complete with elaborate due process, have removed the members of these organizations from direct political manipulation. They have also produced a good deal of organizational rigidity with the standardization of job descriptions, promotions, transfers and the like (Rogers, 1968: 266-323; Sayre and Kaufman, 1961: 402-451). In addition to expansion of civil service categories, an increasing demand among certain civil servants for recognition as professionals fosters autonomy and thereby reduces the direct influence of those without similar credentials (Gittel, 1967; Willbern, 1954).

Civil service reform and professionalization could potentially contribute to politically neutral agencies capable of carrying out their mandate in classical bureaucratic terms. But at the same time these organizations have gained more hegemony over their internal operations, i.e., more functional power, the members of these agencies have banded together into partisan employee associations that are politically active. In short, the internal control frees energies for participation in external relations. The goals of these employee associations include not only control over scarce appropriations but also over job descriptions, promotion and tenure proceedings, and working conditions in general with additional demands that support their autonomy at the work place.

But the political actions of public bureaucracies do not end with their activities as bargaining agents. In many cases they have taken their demands into the streets and employed such strategies as "job actions" and strikes to gain their particular ends. The public response of elected officials to these actions suggests the power these agencies command. Elected officials realize that these employees are critical constituencies in municipal elections, further enhancing their power and potential power.

I should not slide over this last point without commenting on the use public agents have made of the bureaucracies themselves. Job actions, strikes, strict rule enforcement and other techniques directly involve the agencies in politics. By curtailing services or disrupting them, the public servants hope to mobilize support and pressure in the wider community that will be directed toward elected officials. Such tactics clearly undermine the political neutrality these agencies once projected.

These trends would be interesting in themselves, indicating, as they do, the changing character of public bureaucracies. But other developments have placed them more prominently in the public eye. Much current social policy discussion revolves around whether citizens are receiving fair, just, or equal treatment at the hands

of public bureaucracies. There are complaints about mismanagement of cases or discriminatory treatment by government bureaucrats, such as unnecessarily severe standards for receipt of public welfare assistance, refusal of emergency service by a hospital, or unwarranted suspension of a child from school. Public bureaucracies have not met the demands for which they were created and rather than contributing to the solutions of problems have become part of the problem itself.

But, as with every trend there have been counter trends, and in the case of public bureaucracies a number of strategies have been suggested that would make them more accountable. Accountability cannot be conceptualized as a uniform problem across bureaucracies. Citizens are not homogeneous with regard to their relations to public bureaucracies and the kind of accountability desired. For example, the tax-paying, employed citizen certainly differs from the unemployed, welfare recipient with regard to what each expects from social welfare agencies. Elected officials also have interests in the manner in which these agencies operate and the degree to which their policies can become politicized. In the extreme case, politicians are reluctant to see certain policies promulgated that would create new constituencies and upset the political balance in their jurisdictions.

I have not as yet come to grips with one of the more complicated questions in creating accountable public bureaucracies, that is, for what should the bureaucracy be accountable. On the one hand, it can be argued that they should be accountable for delivering services fairly and equitably, but this does not address the more important issue of evaluating the services delivered. To distribute poor education equitably seems a dubious achievement. There have been recommendations that what is needed is some kind of "social accounting" that would measure the effectiveness of public agencies to insure that they were meeting their mandates. Under such a system goals would be established geared to agency performance. Failure to meet these goals would result in alterations of policy, staffing and administration. If my thesis is correct, the public bureaucracies themselves would be deeply involved in establishing standards which would be negotiated in the political realm where they would continue to exercise a good deal of power. Professional associations of all kinds would jockey to make sure that their standards were the acceptable standards with the predictable outcome that the balance of power would not be seriously changed.

But there have been some efforts to alter the traditional client-agency relationships. I will focus primarily upon those strategies that have been employed and suggested that would create, at least for the clients, accountable public bureaucracies.

From my observations and readings four major strategies have gained prominence in the past decade: confrontation (Lipsky, 1970), legal action (Hannon, 1969), community control and citizen-initiated complaint procedures (Altshuler, 1970; Handler, 1969; Hudson, 1968). Confrontations involve the mobilization of the client population to challenge directly actions taken or not taken by public agencies. It involves such tactics as sit-ins, picketing, occupation of offices. The clients seek immediate alterations or explanations of official policies. Another objective is to gain through publicity an understanding of the clients' problems and the intransigence of the public agencies. As a tactic it has limitations, since continuous confrontations drain the resources and energies of the protestors. By its very nature, it is non-bureaucratic and if some permanent rapprochement is to occur the demands must become routinized and therefore bureaucratized.

Legal action, and particularly legal action under certain OEO programs, employs existing political institutions and seeks to redefine client-agency relations, changing the role of client from a supplicant to that of a rights bearing citizen. Its effectiveness is greatest in those instances where class action cases are feasible. Unlike confrontation it can depend upon a single client or a few clients to carry the case to completion, eliminating the necessity to keep a constituency constantly mobilized. A number of significant decisions have been reached using this strategy. It is limited because what it can address itself to is circumscribed by the legislation governing these agencies. It is not an equal counter-weight to the position of the public bureaucracies in the political power structure.

The third strategy, community control, seeks to break down public agencies into smaller, autonomous units that are more responsive to the needs of local communities. It rests upon the assumption that indigenous populations have a better understanding of the services needed in the local community and the most effective ways of delivering these services. It further assumes that sufficient talent exists at the local level to staff the administrative apparatus of the agencies. Yet if public employees continue to be organized as city wide units with political power that extends beyond the local community, there will remain an imbalance of power. Local control does not eliminate civil service reforms even though it may modify them. The same issues public agents raise at the municipal level will not disappear at the local level.

The final strategy for making public bureaucracies accountable to their clientele are citizen-initiated complaint procedures represented by fair hearing procedures in social welfare agencies

and civilian controlled police review boards. Underlying all such review procedures are the assumptions of citizen competence and of the willingness of the citizen to challenge an agency with which he has an on-going relationship.

For the most part grievance procedures have been located within the administrative agency itself (Minter, 1964; Handler, 1969). It should be obvious that such placement does not encourage neutrality. Citizen-initiated complaint procedures seek to settle complaints serially. Unlike confrontations, legal aid, or community control, the objective is to resolve a given complaint at a given time. The serial settlement of complaints does not open the agency up for general review of policies. The issue as seen from the point of view of the agency is that in a specific case some mismanagement, miscalculation or oversight may have occurred and its particularistic characteristics can be adjudicated. It is important to note that citizen-initiated complaint procedures operate at the delivery level of the organization and do not penetrate beyond the periphery. Such a strategy may accommodate a few dissatisfied clients, but does not call for serious review of organizational policy.

None of the strategies I have reviewed takes into account the power and autonomy that public bureaucracies have obtained. While the public bureaucrats are part of the power system, these accountability strategies do not seriously upset those power arrangements. The public agents, through their employee associations, are a well-mobilized political constituency. Their bargaining takes place at the highest levels of municipal decision-making, often out of the public eye.

On the other hand, the client population is not a well-mobilized constituency. Although there has been an increase in the militancy of certain client groups, these have not been welded into an articulate political force. What is needed is a parallel organization of clients and potential clients that can successfully challenge the hegemony of the bureaucracies.

To conclude, the creating of accountable public bureaucracies remains problematic. The set of strategies reviewed here does not take into account the power these agencies hold. To make public bureaucracies more accountable than they are now will require some of the power they have lost in their ability to monitor public bureaucracies. The client population itself needs to achieve some kind of parity with these agencies in order that their position does not remain one of a passive recipient. A public office may be a public trust, but it appears that we need some new kind of "trust-busting."

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